



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Paul R. Erickson et al.  
 Serial No. : 10/688,301  
 Filed : October 15, 2003  
 Title : PLASTIC SHEET REINFORCEMENT

Art Unit : 3677  
 Examiner : Ruth C. Rodriguez

**Mail Stop Amendment**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

INTERVIEW SUMMARY AND REPLY TO ACTION OF JANUARY 12, 2006

Claims 1-3, 11, 12, 17, 31-33, 41 and 42 have again been rejected as anticipated by Kennedy et al. (US 5,260,015; "Kennedy"). Although the Examiner has applied this reference under 35 U.S.C. 102(e), Applicants understand the reference to also be available under 102(b). Applied under either subsection of 102, Applicants respectfully traverse.

Applicants pointed out in their first response to this rejection that Kennedy fails to disclose or suggest "float filament sections extending generally along an outer surface of a back side of the fastener component, such sections connected to the back side of the fastener component only at their ends, and otherwise lying against the back side of the fastener component." Applicants explained that the term "float" is a technical term known in the textile industry. The Examiner responds that "careful study of the specification failed to provide any reference of the float as being a term of the textile industry. Therefore, the term "float" can be used for any reinforcing fabric being provided for the base."

## CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*June 12, 2006*  
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*J. Da G. Gray*  
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The undersigned attorney thanks the Examiner for the courtesy of an in-person interview on April 25, 2006, at which the attached pages from a textile dictionary were presented as evidence that the term "float" is a textile term known to those of ordinary skill in this art. Discussion of the term "float" was the entirety of the substantive discussion of the interview. The presented pages are cited herewith in an Information Disclosure Statement to ensure that they are clearly of record.

Applicants now repeat their contention, made in their first response, that Kennedy fails to disclose employing a fabric with such float filament sections positioned as required by claims 1 and 31. Applicants respectfully urge the Examiner to revisit their earlier argument and discussion of Kennedy's disclosure, now with a better understanding of the meaning of the textile term 'float'. Kennedy neither discloses Applicant's claimed structure, nor even suggests the mode of strengthening obtained by the claimed structure. Applicants also note for the record that it is not necessary for Applicants to define in their specification terms that are understood to those of ordinary skill in this art.

Claims 4-10, 13-16, 18-30, 34-40 and 43-55 have been rejected as obvious over Kennedy. The Examiner has concluded that none of the features recited in these dependent claims would have been non-obvious in combination with the base claims, given her understanding of the disclosure of the Kennedy reference. Applicants respectfully traverse and offer the following remarks.

It is understood that this obviousness rejection is based upon the misunderstanding, discussed above, that Kennedy discloses the float filament arrangement recited in base claims 1-31. Given Applicants' showing that the term "float" has a meaning known to those of ordinary skill, Applicants again request reconsideration of this obviousness determination, submitting that these claims are allowable at least as depending from allowable base claims. With respect to the patentability of base claims 1 and 31, Applicants note that the arrangement of float filament sections, as connected only at their ends and otherwise lying against the back side of the fastener component, provides particular advantage for resisting tearing of the fastener base, by a

reinforcement mechanism not provided by extending loops or fully embedded filaments. See, e.g., the paragraphs beginning at page 7, line 25, at page 11, line 12, and at page 12, line 28, of the Application. Thus, such float filament positioning is not merely a design choice, but represents a non-obvious structural improvement over what was taught by Kennedy.

Regarding the features recited in the rejected dependent claims, Applicants also repeat, for the record, that many of these features provide particular advantage in combination with the features of the base claims, and respectfully traverse the conclusory statement that it would have been obvious at the time of the invention to have provided such features in the claimed reinforced fastener product. Such features do they all represent mere design choice, as they clearly relate to the performance of the claimed structure and are not mere optimizations. And although the Applicants concur with the Examiner's Official Notice that knit fabrics are commonly made with multifilament yarns, they do not concur that such yarns necessarily have the other characteristics recited by the Examiner on page 5 of the latest office action.

Regarding claims 30 and 55, originally held allowable but now rejected as obvious over Kennedy, Applicants maintain that such claims are also allowable for reasons explained above with respect to their base claims. In addition, Applicants do not assent, for purposes of possible appeal, to the Examiner's position that the specific structural feature recited in these dependent claims would be obvious in view of Kennedy's teaching that some of his disclosed fabrics can strengthen the base. Stitch Hole Tear Strength is a specific type of strength not clearly suggested by strength in general. However, Applicants base their argument for the allowance of these claims primarily on the non-obviousness of the claims from which they depend.

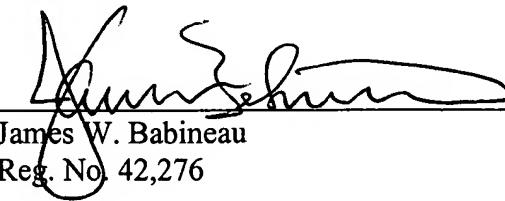
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Attorney Docket No.: 05918-342001/6030

Enclosed is a \$450.00 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050, referencing the above attorney docket number.

Respectfully submitted,

Date: June 12, 2004

  
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